

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	09/993,501
Filing Date	27 November 2001
First Named Inventor	Norman G. ANDERSON
Group Art Unit	1634
Examiner Name	Frank Wei Min Lu
Attorney Docket No.	2316-149

TF9 CD 9/12/02

Title of the Invention:

DETECTION AND CHARACTERIZATION OF MICROORGANISMS

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

SEP 1 1 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed August 13, 2002, the Applicant elects Group I, claims 1 through 6, with traverse. Reconsideration of the Election/Restriction is respectfully requested.

REMARKS

Claims 1 through 12 are pending in this application. It is submitted that all of the claims should be examined together because, as the Office Action makes clear, all of the claims are classified together in Class 435, Subclass 7.2. Plus, all of the claims in Group II are dependent on claim 1, so Group II will be allowable if claim 1 is allowed. Further, a search of the claims of Group II is integral to a search of the claims of Group I, since the two groups differ only in the step of comparing the data to known microorganism data. Searching the claims of one group involves inherently searching the claims of the other group and thus the consideration of these claims together ought to be no undue burden. It is thus inappropriate to restrict the pending claims into two groups.

Withdrawal of the restriction requirement is earnestly solicited.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Thomas E. McKiernan, Registration No. 37,889				
SIGNATURE	A Mas Elle Green DATE	September 10, 2002			

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